

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

11-CV-6054L

v.

\$15,350.00 UNITED STATES CURRENCY,

Defendant.

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The Government commenced this *in rem* forfeiture proceeding by filing a complaint on February 1, 2011. A copy of the complaint and related papers were served on attorney William Dedes, Esq. (“Dedes”) who represented Adrian Stewart who was believed to be a person who may have a claim or interest in the currency that is the subject of the forfeiture proceeding.


Proper notice was given that persons having an interest in the monies must file a verified statement identifying that interest by a certain date. On or about May 17, 2011 (Dkt. #3), Adrian Stewart filed an “answer” which also appears to raise a claim to the money seized. This claim was brought by attorney Dedes.

Pending before the Court is the Government’s motion (Dkt. #6) to strike the answer and enter judgment by default against the property on the grounds that the purported claim is untimely. Thereafter, attorney Dedes, by letter dated November 2, 2011 (Dkt. #8), advised the Court that he did not oppose the Government’s motion to strike.

Having reviewed the pleadings, and in light of the only claimant’s withdrawal of his claim, the answer and claim is stricken and the Court directs that judgment be entered by default in favor

of the Government and directs that an order of forfeiture be entered in favor of the Government concerning the monies seized, \$15,350,00.

IT IS SO ORDERED.

  
A handwritten signature in dark ink, appearing to read "David G. Larimer", is written over a horizontal line. Below the line, the name "DAVID G. LARIMER" is printed in a sans-serif font, followed by the title "United States District Judge" on the next line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
November 7, 2011.